

# EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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ePLUS, INC.,  
Plaintiff,  
v.  
LAWSON SOFTWARE, INC.,  
Defendant.  
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:  
: Civil Action  
: No. 3:09CV620  
:  
: August 17, 2010  
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COMPLETE TRANSCRIPT OF CONFERENCE CALL  
BEFORE THE HONORABLE ROBERT E. PAYNE  
UNITED STATES DISTRICT JUDGE

APPEARANCES: (All via telephone)

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18 Counsel for the defendant Lawson Software

19 ALSO PRESENT:

20 Leslie Wagner, Law Clerk

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1 his fact witness hat and when he puts on his expert  
2 witness hat, but there are ways to deal with that, and  
3 we'll be happy to make proposals to the Court as to  
4 when he can be an expert or when he's just testifying  
5 in his percipient factual witness capacity.

6 The second issue is that it's been  
7 represented to us that he will be raising theories  
8 that go outside of the scope of what Your Honor has  
9 ruled is the four corners of the invalidity theories  
10 that the witnesses can present.

11 I thought we addressed that issue last  
12 Thursday. Ms. Stoll-DeBell wasn't on that call. That  
13 was the call regarding Dr. Mangum. I raised this  
14 issue again on the call. The Court indicated that  
15 there would not be any new theories on invalidity  
16 rulings. There was a ruling, but we're a little  
17 confused.

18 THE COURT: I was sure on the last call and  
19 I'm sure now that there will be no expert testimony on  
20 invalidity theories that weren't disclosed pursuant to  
21 the orders. That issue has previously been briefed  
22 and decided. I'm not going to revisit that issue. If  
23 I was wrong, I was wrong, but that's going to be the  
24 rule, and I'm sure Lawson will abide by it, won't you,  
25 Ms. Stoll-DeBell?

1 MS. STOLL-DeBELL: Yes, Your Honor.

2 THE COURT: And if you don't, if your toe is  
3 off base, your expert's foot is off base, the hatchet  
4 will come down upon it, and your expert will go out  
5 the door.

6 Now, that's what happens here if you-all  
7 start transcending the rulings that have been  
8 previously made defining the boundaries. So I know  
9 they won't do that. So we don't have that problem  
10 now, and we'll just abide the event.

11 Next? Anything else? That's it, isn't it?

12 MR. ROBERTSON: No. The last issue, sir, and  
13 this is, you know, in anticipation of filing this  
14 motion tomorrow with respect to Dr. Green.

15 One of the issues, you'll recall, was a  
16 discussion about whether the depositions of the  
17 damages experts actually were part of -- part and  
18 parcel of the disclosure under Rule 26 of the Federal  
19 Rules of Civil Procedure.

20 And I understood and appreciated that Mr.  
21 McDonald confirmed that that arrangement was agreed  
22 upon.

23 Dr. Mangum did opine on Dr. Green's opinions  
24 in his deposition and rebuttal. His only opportunity  
25 to do so.